

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

MAY 29 2015

Clerk of Court

United States of America

v.

SEE ATTACHMENT A

Case No.

M-15-0856-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 28, 2015 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. § 1324 (a)(1)(A)(iii)

Knowing and in reckless disregard of the fact that Estella Cos-Mendez and Rojel Saravia-Larin, were aliens, who had come to, entered and remained in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such aliens in any place, including any building or any means of transportation; to wit a residence in Palmhurst, Texas.

This criminal complaint is based on these facts:

SEE ATTACHMENT "B"

✓ Continued on the attached sheet.

Approved by:

Ronald E. L.

Complainant's signature

Tomas Mora, HSI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 5/29/2015

Judge's signature

City and state: McAllen, Texas

U.S. Magistrate Judge Dorina Ramos
Printed name and title

ATTACHMENT A

- 01) Marco Antonio SANCHEZ-Dominguez
YOB: 1983
Citizenship: Mexico
- 02) Edgar Israel MALDONADO-Valdez
YOB: 1977
Citizenship: Mexico
- 03) Raul REYES-Valles
YOB: 1981
Citizenship: Mexico

ATTACHMENT B

On May 28, 2015, at approximately 1130 hours, Homeland Security Investigations, McAllen, Texas (HSI McAllen), received notification from the Office of Border Patrol, McAllen, Texas (OBP McAllen), that several undocumented aliens (UDA) were encountered by a Texas Department of Public Safety (DPS) Special Agent (SA) inside the trailer portion of a tractor-trailer while parked at a motel in McAllen, Texas.

At approximately 0930 hours, the DPS SA observed three vehicles, to include a blue Jeep Cherokee (TXLP: DGV1042), drop off various subjects near the tractor-trailer. The DPS SA further observed a subject, identified as Marco Antonio SANCHEZ-Dominguez, walk away from the tractor-trailer in the direction of the motel. The DPS SA approached SANCHEZ-Dominguez and SANCHEZ-Dominguez stated to the DPS SA that there were people inside the trailer and that he was instructed to put them there. SANCHEZ-Dominguez further stated that he did not know the exact amount of people inside.

The DPS SA, with the assistance of the Pharr Police Department (PPD), approached the trailer and encountered 16 subjects inside. The Jeep Cherokee, with Edgar Israel MALDONADO-Valdez and 2 other subjects still inside, was parked next to the trailer at this time. Agents requested assistance from OBP McAllen in determining alienage of the subjects inside the trailer and the Jeep Cherokee. OBP Agents responded to the request for assistance and determined all subjects to be illegally present in the United States. All subjects were arrested for administrative violations of immigration law and transported to the McAllen, Texas Border Patrol Station for interviews and processing.

Rojel Saravia-Larin, a citizen and national of El Salvador who was encountered in the trailer, stated to agents on scene that there were approximately 30 additional UDAs at the stash house in which he was being harbored and that they were being mistreated. Saravia-Larin identified the stash house in which he was being harbored and was identified by agents as 4801 Trosper Road, Palmhurst, Texas.

At approximately 1645 hours, agents conducted a consent search of the two residences located at 4801 Trosper Road, Palmhurst, Texas and encountered 35 UDAs, to include Raul REYES-Valles. All subjects were

arrested for administrative violations of immigration law and transported to the McAllen, Texas Border Patrol Station for interviews and processing.

In a post-Miranda interview, SANCHEZ-Dominguez stated he agreed to help load the UDAs into the trailer in return for having his smuggling fees waived. SANCHEZ-Dominguez stated he loaded 12-13 UDAs before deciding to walk away after seeing an injured UDA get loaded into the trailer.

In a post-Miranda interview, MALDONADO-Valdez stated he agreed to transport UDAs from the stash house to the tractor-trailer as partial payment for his smuggling fees. MALDONADO-Valdez stated he transported 8 UDAs from the stash house to the tractor-trailer and returning to a nearby store where he transported another 2 UDAs to the tractor-trailer.

In a post-Miranda interview, REYES-Valles denied any involvement with the UDAs that were found at his residence, 4801 Trosper Road, Palmhurst, Texas.

Estella Cos-Mendez, a citizen and national of Guatemala with no legal status to be in the United States, identified MALDONADO-Valdez via 6 person photo line-up as having transported her from the store to the tractor-trailer. Cos-Mendez further identified REYES-Valles via 6 person photo line-up as the caretaker of the residence where she was being harbored. Cos-Mendez stated REYES-Valles wrote her name and her guide's name down in a ledger upon entering the residence, told her not to leave or make noise, and made her take the battery out of her cellular telephone.

Rojel Saravia-Larin, a citizen and national of El Salvador with no legal status to be in the United States, identified SANCHEZ-Dominguez via 6 person photo line-up as having told him to get in the trailer and shutting the door behind him. Saravia-Larin identified MALDONADO-Valdez via 6 person photo line-up as having transported him from the stash house to the tractor-trailer. Saravia-Larin identified REYES-Valles via 6 person photo line-up as being the caretaker of the residence where he was being harbored. Saravia-Larin stated REYES-Valles wrote his name in a ledger, would bring the UDAs food, told the UDAs to be quiet and told the UDAs to tell the police he was not in charge if the police ever came to the house.